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CONCORD, N.H.

1953

Oct. 25

Mr. William D. Beal, Jr.,
Administrative Assistant
Fish & Game Department
State House Annex

Dear Mr. Beal:

This is to acknowledge your letter of October 14, 1953, in which you ask whether a resident person under 16 years of age is required to have a special license for hunting deer with bow and arrow, and if so does such person have to purchase a resident hunting license to comply with section 16-a of chapter 242 of the Revised Laws.

It is my opinion that the resident person under 16 may not be required to purchase the special license for hunting with bow and arrow. R. L. c. 247, s. 2, provides that resident children under 16 years of age while hunting when accompanied by a licensee 21 years of age or over are excepted from the provisions of section 1 requiring licenses. Further, section 1 speaks of hunting wild animals in this State, without further reference as to the means used for such hunting.

To rule otherwise, in view of section 3 of said chapter 247, would prohibit persons under 16 years of age from bow and arrow hunting, as one of the prerequisites for the special license is a valid hunting license. I do not believe the Legislature so intended. It is therefore my opinion that resident persons under 16 may enjoy the special privileges allowed by section 16-a of R. L. c. 242, provided they are accompanied by a holder of a valid license and special permit, and further provided that they comply with all other provisions of the laws relative to hunting.

Very truly yours,

Arthur D. Beal, Jr.,
Assistant Attorney General

ADB:NM